**UNITED NATIONS** **S**

**Security Council**

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S/1994/1361
30 November 1994

ORIGINAL: ENGLISH

LETTER DATED 28 NOVEMBER 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to you in regard to the letter of Mr. M. Sacirbey (S/1994/1309) dated 18 November 1994 and, upon instructions of my Government, I have the honour to state the following.

The charges levelled against the Federal Republic of Yugoslavia and the claims of the alleged involvement of the special units comprising 1,270 "Nis commandos" in the fighting around Bihać are false and ill-intentioned. Such unfounded and absurd allegations that have recently been intensified against the Federal Republic of Yugoslavia and its army represent the latest in a series of attempts to discredit the constructive and peaceful policy pursued by the Federal Republic of Yugoslavia in the search for a peaceful, just and comprehensive solution to the crisis in the territories of the former Yugoslavia and the war in Bosnia and Herzegovina in particular.

Outrageous fabrications from the letter of Mr. Sacirbey on the alleged involvement of the members of the Army of Yugoslavia in the fighting around Bihać have been employed, inter alia, to cover up or justify the overwhelming participation of the "mujahedin" in the fighting on the side of the Bosnian Muslims as well as the presence and engagement of the American strategists and military training personnel.

The latest events in the territory of Bosnia and Herzegovina and especially the Muslim offensives in the region of Bihać, Kupres, Srbobran and Mt. Igman represent flagrant violations of the cease-fire agreement and the abuse of the safe areas by the Muslim side for organizing and launching large-scale offensives.

The overriding goal for the regrouping of the Muslim forces coupled with the persistent stepping-up of the level and intensity of combat activities is to generate a protracted war and threaten all past efforts towards peace.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

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ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39

SECURITY COUNCIL
Forty-ninth year

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

Letter dated 28 November 1994 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On the instructions of my Government, I wish to inform you that the competent authorities of the United States of America refused to grant entry visas to an Iraqi delegation which was planning to participate in a symposium organized by a United Nations body, held in the territory of the United States of America.

Iraq received from the Secretary-General of the United Nations Conference on Trade and Development (UNCTAD), through his memorandum TDN 810, dated 7 February 1994, an invitation to participate in the United Nations International Symposium on Trade Efficiency, held in the city of Columbus (Ohio, United States of America) from 17 to 21 October 1994.

On 2 June 1994, the office representing Iraqi interests, at Washington, sent a letter to the State Department of the United States of America requesting that entry visas be issued to the members of the Iraqi delegation, headed by the Minister of Trade of the Republic of Iraq, so that they would be able to participate in the International Symposium.

More than three months later, specifically on 22 September 1994, the State Department informed, by telephone, the office at Washington representing Iraqi interests, that the Iraqi delegation needed to go to the United States Embassy at Amman and fill out the visa request forms there.

On 27 September 1994 the Embassy of the Republic of Iraq at Amman sent the forms requesting entry visas and photocopies of the passports of the members of the delegation to the United States Embassy at Amman. However, it received no response, and the Iraqi delegation was thus prevented from participating in an important United Nations activity.

These acts, which must be added to other practices of the United States authorities, some of which we have already cited in our letters of 11 September 1994 (A/49/377-S/1994/1047) and 23 October 1994 (A/49/569-S/1994/1210), confirm that those authorities are breaching the commitments entered into by the United States of America under the Headquarters Agreement.

In drawing attention to these regrettable incidents, the Government of my country expresses the hope that the obligations incumbent upon the host country under the Headquarters Agreement will be applied in the proper fashion.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 139, and of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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30 November 1994

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# REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

## I. INTRODUCTION

1. On 17 September 1994, the Tajik parties signed at Tehran the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks (S/1994/1102, annex I). On 22 September, the Security Council welcomed the Agreement and, inter alia, invited me to present urgently my recommendations regarding the request of the Tajik parties for United Nations support for the Agreement (see S/PRST/1994/56). In my report of 27 September 1994 (S/1994/1102), I recommended that the mandates of my Special Envoy and of the small group of United Nations officials currently in Tajikistan should be extended for a further period of four months and that, as a provisional measure, the group of officials be strengthened with up to 15 military observers drawn from existing peace-keeping operations, pending a decision by the Security Council to establish a new United Nations observer mission in Tajikistan. I also informed the Council of my decision to send a technical survey mission to Tajikistan to assess the modalities for establishing a future observer mission. In a letter dated 29 September 1994 (S/1994/1118) the President of the Security Council informed me that the members of the Council had taken note of the observations and recommendations in the above report.

2. A Secretariat team visited Tajikistan from 4 to 12 October 1994 to look into all aspects of a possible United Nations observer mission which would have the task of assisting in the implementation of the Cease-fire Agreement. The mission also considered the functions of the military observers who would be temporarily deployed to strengthen the United Nations office in Dushanbe.

3. The 15 military observers arrived in Tajikistan during October and are now based in offices in Dushanbe, Garm, Kurgan-Tyube and Pyanj. They are led by Brigadier-General Hasan Abaza (Jordan), who reports to Mr. Liviu Bota, head of the United Nations office in Dushanbe. The cease-fire came into effect as from 0800 hours local time on 20 October 1994, following a public announcement by Mr. Bota.

## II. ISLAMABAD TALKS

4. The third round of inter-Tajik talks on national reconciliation, under United Nations auspices, took place at Islamabad from 20 October to 1 November 1994 with the participation of observers from Afghanistan, the Islamic Republic of Iran, Kazakhstan, Pakistan, the Russian Federation, Uzbekistan, the Conference on Security and Cooperation in Europe (CSCE) and the Organization of the Islamic Conference (OIC). At the request of the parties concerned, my Special Envoy chaired the talks and made his good offices available during the negotiations. The delegation of the Tajik Government was led by Mr. Abdulmajid Dostiev, First Deputy Chairman of the Supreme Soviet of the Republic of Tajikistan, and the delegation of the Tajik opposition by Mr. Akhbar Turajonzodah, First Deputy Chairman of the Islamic Revival Movement of Tajikistan.

5. Although fundamental institutional issues and consolidation of the statehood of Tajikistan had previously been identified as the main items on the agenda of the third round of the talks, the extension of the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts de facto became the main issue negotiated in Islamabad. The two parties overcame serious difficulties and reached agreement on an extension of the cease-fire and the cessation of other hostile acts for another three months until 6 February 1995. That agreement was laid down in the joint communiqué which the parties signed on 1 November 1994 (see S/1994/1253, annex).

6. The two sides also signed the Protocol on the Joint Commission to monitor the implementation of the Agreement (ibid.). The Protocol contains the necessary provisions for the functioning of the Joint Commission, including its composition, powers, functions, guarantees of security, location, and the duration of its mandate. The Government of the Republic of Tajikistan pledged to provide logistic and material support for the Joint Commission on the territory of Tajikistan, while the opposition would provide the same on the territory of Afghanistan. The Protocol defines the role the parties wish the United Nations to assume in assisting the work of the Joint Commission.

7. The Joint Commission held its first meeting on 14 November 1994 at Dushanbe. Assisted by the United Nations military observers already in the country, it has begun to perform its functions in accordance with the Protocol signed at Islamabad.

8. In view of the non-compliance by both sides with paragraph 4 of the Tehran Agreement within the established time-frame, the parties undertook to release, before 6 November 1994, equal numbers of detained members of the opposition and of prisoners of war of the armed forces of the Republic of Tajikistan (27 persons from each side). The two sides also agreed to discuss the issue of releasing other supporters of the opposition and prisoners of war during future rounds of talks. In this connection, they confirmed their decision to seek the good offices of the International Committee of the Red Cross (ICRC) and to comply fully with its rules and procedures in future exchanges of detainees and prisoners of war.

9. The exchange of the detainees and prisoners of war took place on 12 November 1994 in Khorog, through ICRC. It is hoped that this step will open the way to further confidence-building measures by both sides.

10. Both Tajik parties reaffirmed their commitment to political dialogue as the only means of achieving national reconciliation and included this principle in the joint communiqué. In this connection, and in accordance with their previous agreement to rotate the venue of the talks, the parties agreed to hold the next round of talks in early December 1994 in Moscow, where they will continue their efforts to resolve all the issues listed in the agreed agenda. The two sides indicated their intention to discuss, on a priority basis, such issues as arrangements for free and democratic elections to the Tajik parliament and provincial and district legislative bodies, scheduled for late February 1995; confidence-building measures, including lifting the ban on political parties and movements in the context of national reconciliation, as well as the constructive engagement of the mass media in Tajikistan and beyond, with the aim of facilitating the restoration of peace and normalcy in the country.

11. Given the serious concerns expressed by the opposition delegation regarding the human rights situation in the Karategin valley, the two sides reconfirmed their commitment to the letter and spirit of the Tehran Agreement, in particular with regard to the need for the protection of human rights as defined in the Agreement. They emphasized the need to provide additional security guarantees to the civilian population of the Karategin valley by sending United Nations military observers there and stepping up the activities of international human rights organizations.

## III. A POSSIBLE UNITED NATIONS PEACE-KEEPING OPERATION

### A. General situation

12. The inhabitants of Tajikistan form a traditional society, characterized by clan and ethnic divisions, where authority is personalized and fragmented. The central Government, regardless of who is in power, has to exert itself to assert control. Public and private affairs are not easily distinguishable from each other. The use of force has been an integral part of the political process in Tajikistan. The opposition groups have established a measure of coordination among themselves for organizing armed actions and for purposes of the United Nations-sponsored negotiations; authority on the ground, however, is diffused.

13. The main areas of conflict have been in the central Karategin valley and along the southern border with Afghanistan. In addition, the area around Kurgan-Tyube, which is mixed with regard both to ethnicity and to clan structure, and from which many had fled, has remained tense. Kulyab Province in the south, which is strongly represented in the present Government, has so far been quiet. The Province of Leninabad in the north has also been quiet.

14. Tajikistan is mountainous (94 per cent of the territory), and in winter the road links between the central part of the country and the provinces of Leninabad in the north and Gorno-Badakshan in the south-east are cut off. Surface travel between those parts at that time of year requires long detours

via Uzbekistan and Kyrgyzstan. Tajikistan is a poor, land-locked country. Equipment and spare parts, even simple office supplies, have to be imported. Since surface transport is slow and insecure, most items would have to be brought in by air. The existing telecommunications links are unreliable.

## B. Tasks to be performed by the United Nations

15. According to the Tehran Agreement of 17 September, the temporary cease-fire is to be implemented through the instrumentality of a Joint Commission, consisting of representatives of the Government and of the opposition. Thus, the responsibility for the cease-fire rests with the Tajik parties themselves. The task of the United Nations would be to assist the Joint Commission by providing "political mediation services and dispatching United Nations military observers".

16. The Tehran Agreement provides that the concept of "cessation of hostilities" shall include the following:

> "(a) The cessation by the Parties of all military activities, including all violations of the Tajik-Afghan border, offensive operations within the country, the shelling of adjacent territories, the conduct of all forms of military training, the redeployment of regular and irregular military formations in Tajikistan, which might result in the breakdown of this Agreement;
>
> ...
>
> "(b) The cessation by the Parties of acts of terrorism and sabotage on the Tajik-Afghan border, within the Republic and in other countries;
>
> "(c) The prevention by the Parties of murders, the taking of hostages, unlawful arrest and detention, and acts of pillage against the civilian population and servicemen in the Republic and other countries;
>
> "(d) The prevention of blockades of populated areas, national economic and military installations and of all means of communication;
>
> "(e) The cessation of the use of all forms of communication and mass media to undermine the process of national reconciliation;
>
> "(f) The Parties shall refrain from using religion and the religious feelings of believers, as well as any ideology, for hostile purposes."

These six points are interlinked and form a whole. The tasks of the United Nations would thus pertain to the implementation of all the elements which make up the cessation of hostilities.

17. The Agreement provides that the temporary cease-fire would last until the referendum on the constitution and the election of the president. Those votes took place on 6 November 1994. However, as already noted, the parties agreed at Islamabad to extend the temporary cease-fire for a further three months until

6 February 1995, during which period further negotiations are to be held. The assistance of the United Nations would be required at least until that date.

## C. Concept of operations

18. The Joint Commission established under the Tehran Agreement, consisting of representatives of the Government and of the opposition, constitutes the formal machinery for implementing the Agreement. Both Tajik parties as well as interested Governments have emphasized the importance of active United Nations involvement at all levels in order to ensure the effective functioning of the Joint Commission.

19. The United Nations mission would act at the request of the Joint Commission or on its own initiative. In case of a complaint about a cease-fire violation, it would investigate in order to establish the facts. It would report its findings to the Joint Commission and to United Nations Headquarters. In addition, the United Nations would provide its good offices as stipulated in the Cease-fire Agreement.

20. In the conditions prevailing in Tajikistan, it is not easy to distinguish between political violence, violent crime and violence arising from private disagreements. It would overburden the Joint Commission and place the political process under great strain if each of those acts were treated formally as a cease-fire violation. In accordance with the standard practice in United Nations peace-keeping operations, the United Nations personnel would therefore endeavour, in exercise of their good offices, to resolve minor incidents at the local level while keeping their superior headquarters informed.

21. The nature of the elements that make up the cease-fire package and the responsibilities of the United Nations under the Agreement call for an integrated civil-military operation in Tajikistan. It should be headed by a person with political experience, supported by a small civil-affairs staff as well as military observers. The personnel would be deployed in teams at a number of offices in the country. Each office would serve as a base from which the teams would cover a geographic area of responsibility.

22. The United Nations mission in Tajikistan would be under the exclusive direction of the Secretary-General. It would discharge its responsibilities with complete objectivity and impartiality. The parties would be required to respect the international status of the United Nations mission and its personnel and to cooperate fully with it in the implementation of its mandate. The mission and its members would need to be accorded complete freedom of movement and the necessary privileges, immunities and exemptions, in accordance with standard peace-keeping practice. A status-of-mission agreement along the lines of the model agreement contained in document A/45/594 would need to be concluded with the Government of Tajikistan.

## D. Strength

23. Under the concept of operations outlined above, which is based on investigation, good offices and liaison, the United Nations mission in Tajikistan need not be large in order to perform its functions. A military complement of 40 officers would suffice to strengthen the headquarters in Dushanbe and the offices in Kurgan-Tyube, Pyanj and Garm, and to open additional offices, for example in Tavildara and Khorog. This deployment would take into account the constraints imposed by the winter and includes the locations consistently mentioned by all concerned.

24. The Chief of Mission would need to be supported in his headquarters by a small civilian staff of four professionals; it would also be desirable to have an additional three to four civil-affairs officers for work away from headquarters. Depending on the level of activities, they could be permanently stationed in some of the field offices. The international support staff would need to be strengthened to deal with the increased requirements. Similarly, a number of staff, including interpreters, would need to be recruited locally.

## E. Security

25. Given the political and economic conditions in Tajikistan, the security situation remains uncertain and would need to be monitored carefully. Good communications and reliable vehicles would be essential. However, it is believed unlikely at this stage that the unarmed United Nations personnel would be targeted, although there could be some risk from undisciplined armed personnel and from criminals; movement at night would therefore not be advisable.

## F. Relations with other forces

26. The Russian, Kazakh and Kyrgyz border forces in Tajikistan are deployed along the Pyanj river, which forms the border with Afghanistan. Those border forces perform functions that would normally fall to the Government of Tajikistan (Tajik border forces, which fall under the jurisdiction of the Ministry of Security, are deployed in the Pyanj sector). The Russian and other border forces are commanded by a Russian Lieutenant-General; he reports to the commander of the Russian border forces with headquarters in Moscow. The border forces have reported illegal crossings of the border and attacks on their posts. These would need to be investigated as possible cease-fire violations.

27. The Collective Peace-keeping Forces of the Commonwealth of Independent States (CIS) in Tajikistan (Russian and a small number of Uzbek troops) have the following mandate:

> (a) To assist in the normalization of the situation on the Tajik-Afghan border with a view to stabilizing the overall situation in the Republic of Tajikistan and creating conditions conducive to progress in the dialogue between all interested parties on ways of achieving a political settlement of the conflict.

(b) To assist in the delivery, protection and distribution of emergency and other humanitarian aid, create conditions for the safe return of refugees to their places of permanent residence and guard the infrastructure and other vitally important facilities required for the foregoing purpose.

28. The United Nations mission would be quite distinct from the forces of the CIS and the border forces. It would, however, maintain close liaison with them and rely on their cooperation as appropriate.

## G. Estimated cost

29. It is estimated that, for the period from 1 December 1994 to 6 February 1995, the cost of an observer mission as outlined above would be approximately $1,895,800 gross, including start-up costs of $788,300. The monthly cost thereafter would be approximately $442,300. This estimate provides for 40 military observers, 18 international and 26 local civilian staff.

Estimated cost by main category of expenditure

(In thousands of United States dollars)

| | 1 December 1994 to 6 February 1995 | Monthly thereafter |
|---|---|---|
| Military personnel | 356.3 | 119.9 |
| Civilian personnel | 562.1 | 203.6 |
| Premises/accommodation | 7.9 | 3.6 |
| Transport operations | 269.4 | 9.7 |
| Communications and other equipment | 407.1 | 82.8 |
| Supplies, services, freight | 253.0 | 22.7 |
| Public information | 40.0 | 0.0 |
| Total | 1 895.8 | 442.3 |

30. Should the Security Council decide to establish an observer mission in Tajikistan, it would be my recommendation to the General Assembly that the costs should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to a special account to be established for this purpose.

## IV. OBSERVATIONS

31. The extension of the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks for another three months until 6 February 1995 is a positive step towards national reconciliation and the restoration of peace in Tajikistan.

32. In this connection, I should like to express my appreciation for the important role played by the observer countries and international organizations during the third round of the inter-Tajik talks. Through their advice and encouragement, they contributed significantly to the positive outcome of the Islamabad round of talks.

33. No time should now be lost in advancing further the process of national reconciliation in Tajikistan. I have therefore instructed my Special Envoy to explore actively with the two Tajik sides and the observers at the inter-Tajik talks ways of achieving further substantial progress during the fourth round of the inter-Tajik talks, at which fundamental political and institutional issues are to be discussed. Those talks are now scheduled to take place in Moscow in early January. Particular importance is attached in this connection to the elections to the Tajik national parliament and local legislative bodies, which are at present scheduled to be held before the end of February 1995.

34. In the meantime, the situation in Tajikistan and on its border with Afghanistan remains tense, as confirmed by the reports of the United Nations personnel in the country. In addition, the deepening economic crisis is having a negative impact on the attempts to achieve political stability in the country, especially in the southern districts, which were directly affected by the civil war.

35. In these circumstances, I believe that the United Nations should respond positively to the request of the Tajik parties to assist them in the implementation of the cease-fire. I accordingly recommend that the Security Council establish a small observer mission of the kind outlined above to perform that task.

36. I very much hope that the successful release of detainees and prisoners of war through the International Committee of the Red Cross earlier this month will open the way to further confidence-building measures between the two sides.

37. It would not be realistic to expect that the problems which have given rise to the conflict in Tajikistan will be solved within the span of a few months, or that Tajikistan will then no longer require international assistance in overcoming its difficulties. However, I do not believe that such assistance should be in the form of United Nations military observers stationed in Tajikistan for an indefinite period. The problems of Tajikistan must be solved through a political process, supported by interested Governments and, through the United Nations, by the international community as a whole. But the primary responsibility for composing their differences rests with the Tajik parties

themselves. The international community should provide the assistance requested of it only if the Tajik parties acknowledge that responsibility and take effective steps to discharge it.

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THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-ninth year

Letter dated 30 November 1994 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter of today's date from the Governor of the Bihać Region of the Republic of Bosnia and Herzegovina, addressed to you.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under agenda item 39, and of the Security Council.

Muhamed SACIRBEY
Ambassador
Permanent Representative

ANNEX

Letter dated 30 November from the Governor of the Bihać Region of Bosnia and Herzegovina to the Secretary-General

From the Republic of Croatia, the so-called Krajina Serbs continue their aggression against the Bihać safe area on the sovereign territory of the Republic of Bosnia and Herzegovina. Chetniks are in the suburbs of Bihać town where intense hand-to-hand combat is taking place. In their heavy attacks against civilian and military targets, the Chetnik forces are using sophisticated long-range artillery, tanks and helicopters; their resumed use of jets and missiles cannot be ruled out. The entire Bihać region is in catastrophe. The regional hospital is overflowing with the wounded, and food and medicine are in short supplies.

The Bihać safe area is a striking example of the international community's indifference in stopping the expansion of Serbian fascism in these areas, Bosniacs and Croats and anti-Chetnik Serbs being the victimized population. The Army of the Republic of Bosnia and Herzegovina resists the aggressor with its utmost efforts, but does not have sufficient strength to stop five armies attacking from all sides. We have been deprived of the right to defend ourselves, because our enemies are sitting in international forums, being allowed to manipulate decisions on our destiny, while the Russians have supplied our enemies with some of the most modern weaponry.

The so-called Krajina Serbs prevent the passage of humanitarian convoys through the region, depriving the population of food and medicine, and at the same time the aggressor forces destroy Bosniac and Croat villages and towns, denying us the right to have homes. The fact that 70,000 refugees are looking for shelter in this area increases our concern.

The international community, led by you, watches this entire ordeal while doing nothing to stop this fascism of the twentieth century. Appeasement has become collaboration. The aggressor lacks nothing, having food, fuel, heavy weapons, hate and the wish to kill everything not Serbian. It seems as if this fascism is preferred to the decent and honest struggle of our population for mere survival. It is ever increasingly clear how a heavily equipped Chetnik "armada" could simply walk by the United Nations Protection Force (UNPROFOR) across an international border and attack our State. This aggression you did not even try to stop.

If you are not willing to perform your mandate in conformity with clear Security Council resolutions and with international law, we beg you, for the sake of the survival of these people as well as for the sake of the future of other nations that could find themselves in similar positions, to give up your function to those who would respect it. It is only then that these exhausted people could live to see appropriate protection extended in conformity with the resolutions of the Security Council.

(Signed) Mirsad VELADZIĆ
Governor, Bihać Region

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SECURITY COUNCIL
Forty-ninth year

Letter dated 30 November 1994 from the Permanent Representative of Senegal to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement on the situation in Bosnia and Herzegovina delivered by His Excellency Mr. Abdou Diouf, President of the Republic of Senegal, in his capacity as Chairman of the Sixth Islamic Summit Conference. I should be grateful if you would have it circulated as an official document of the General Assembly under agenda item 39, and of the Security Council.

(Signed) Kéba Birane CISSÉ

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ANNEX

Statement on the situation in Bosnia and Herzegovina delivered by the President of Senegal in his capacity as Chairman of the Sixth Islamic Summit Conference, on 29 November 1994

Several days ago, the Bosnian Serbs launched an offensive in north-east Bosnia against the enclave of Bihać, which is an integral part of the territory of a full Member of the United Nations, the Republic of Bosnia and Herzegovina. The international community is beginning to get used to the perpetration of violations of the law of nations by the Serbs of the former Yugoslavia, and the invasion of Bihać is yet another example. This is a blatant attack on civilian populations, who are the innocent victims of the lethal madness thus visited upon them.

It is also an open challenge to the international community. By a resolution of the Security Council, the organ of the United Nations which is responsible for maintaining international peace and security, the town of Bihać had already been declared a safe area under international protection. That safe area has now been breached, and the people of Bihać are besieged by the implacable artillery and violence of Serb military forces.

How can we fail to be moved by such injustice, by such an obvious and unpunished violation of the collective decisions of the community of nations? How, in these circumstances, can we fail to point out that it was the Western Contact Group consisting of France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America which drew up and submitted a plan last July for the settlement of the Bosnian crisis with a warning of appropriate sanctions against any party refusing to comply with it? How also can we fail to recall the relevant recommendations of the Contact Group of the Organization of the Islamic Conference, of which Senegal is a member, which judiciously complement the Western peace plan?

How, finally, faced with the intolerable situation inflicted on the population of Bihać, can we fail to point out that it is those who are being subjected to aggression today who accepted that plan whereas the aggressors contemptuously rejected it?

I should therefore like, on behalf of Senegal and of all the countries members of the Organization of the Islamic Conference, to appeal solemnly to the international community and more specifically to the Security Council to put an end to this tragedy which the whole world is witnessing today in the Bihać enclave. Putting an end to the agony of Bihać is as much a moral as a political issue. What is at stake is the credibility of the United Nations, which affirmed its faith "in the dignity and worth of the human person" and then undertook to unite its "strength to maintain international peace and security".

The new international order which presided over the birth of the United Nations laid down the fundamental principle that wars of aggression were to be banished forever. Today, in Bosnia and Herzegovina, it is more urgent than ever to ensure that this principle solemnly enshrined in the Charter of the United

Nations is applied without reserve. May the international community heed this appeal!

We take this opportunity to pay tribute to the courage of the people of Bihać in the face of adversity and injustice and to assure them of our active solidarity.

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LETTER DATED 30 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On behalf of the Government of the Republic of Bosnia and Herzegovina, I have the honour to inform you that H.E. Mr. Alija Izetbegović, President of the Republic of Bosnia and Herzegovina, was pleased to have the opportunity to meet with H.E. the Secretary-General of the United Nations, Dr. Boutros Boutros-Ghali.

In this context, we wish to reiterate our acceptance/offer of a cease-fire in Bihać (including its demilitarization) and a cease-fire throughout the territory of the Republic of Bosnia and Herzegovina.

The Government of the Republic of Bosnia and Herzegovina remains committed to negotiations, on the basis of the proposed Contact Group peace plan, in the search for an end to the war in the Republic of Bosnia and Herzegovina.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

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94-47602 (E) 301194 *01/12/94*

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1 December 1994

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# LETTER DATED 29 NOVEMBER 1994 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990) CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith for the attention of the members of the Council the report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait pursuant to paragraph 6, subparagraph (f), of the guidelines to facilitate full international implementation of paragraphs 24, 25 and 27 of Security Council resolution 687 (1991).

The report was approved by the Committee on 29 November 1994.

(Signed) Colin KEATING
Chairman
Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait

## Annex

### Report of the Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait pursuant to paragraph 6, subparagraph (f) of the guidelines to facilitate full international implementation of paragraphs 24, 25 and 27 of Security Council resolution 687 (1991)

1. The present report is submitted by the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait, in accordance with paragraph 6, subparagraph (f) of the guidelines, 1/ for facilitating full international implementation of paragraphs 24, 25 and 27 of Security Council resolution 687 (1991) of 3 April 1991 approved by Security Council resolution 700 (1991) of 17 June 1991.

2. Under paragraph 6, subparagraph (f), of the guidelines, the Committee is required to report at 90-day intervals to the Security Council on the implementation of the arms and related sanctions against Iraq contained in the relevant resolutions of the Security Council. The present report is the fourteenth report submitted under the above-mentioned guidelines. The preceding reports were submitted on 13 September 1991, 2/ 10 December 1991, 3/ 12 March 1992, 4/ 11 June 1992, 5/ 8 September 1992, 6/ 4 December 1992, 7/ 19 March 1993, 8/ 7 June 1993, 9/ 7 September 1993, 10/ 14 December 1993, 11/ 4 March 1994, 12/ 6 June 1994, 13/ and 2 September 1994. 14/

3. By paragraph 12 of the guidelines, all States are requested to report to the Committee any information that may have come to their attention relating to possible violations of the arms and related sanctions against Iraq committed by other States or foreign nationals. During the period under review no information as requested by paragraph 12 of the guidelines has been received by the Committee.

4. In accordance with paragraphs 13 and 15 of the guidelines, all States and international organizations are required to consult the Committee on the question of whether certain items fall within the provisions of paragraph 24 of resolution 687 (1991), as well as in cases relating to dual-use or multiple-use items, i.e., items meant for civilian use but with potential for diversion or conversion to military use. During the period under review, no States or international organizations have consulted the Committee on these questions.

5. By paragraph 14 of the guidelines, international organizations are requested to provide the Committee with any relevant information that may come to their attention. During the period under review, no information as requested by paragraph 14 of the guidelines has been received by the Committee.

6. Since the submission of the previous report of the Committee on 2 September 1994, no allegations of violations in connection with paragraph 24 of resolution 687 (1991) have been reported to the Committee.

7. The Committee will continue its efforts to fulfil the mandate entrusted to it. Since the last report of the Secretary-General, dated 4 December 1991 15/ no further replies have been received from Member States pursuant to paragraph 4 of Security Council resolution 700 (1991).

Notes

1/ S/22660, annex.

2/ S/23036.

3/ S/23279.

4/ S/23708.

5/ S/24083.

6/ S/24545.

7/ S/24912.

8/ S/25442.

9/ S/25930.

10/ S/26430.

11/ S/26874.

12/ S/1994/274.

13/ S/1994/695.

14/ S/1994/1027.

15/ S/22884/Add.2.

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NATIONS

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Security Council

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S/1994/1368
1 December 1994
ENGLISH
ORIGINAL: ARABIC

**LETTER DATED 29 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL**

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation continued over the period 11-20 November 1994.

11 November 1994

Southern region: 77 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Basra, Busayyah, Artawi, Salman, Chabaish and Ushbayjah.

On 11 November 1994, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0900 hours and left in the direction of Kuwait at 0959 hours.

2. The second flight entered Iraqi airspace at 1115 hours and left in the direction of Kuwait at 1305 hours.

3. The third flight entered Iraqi airspace at 1212 hours and left in the direction of Kuwait at 1350 hours.

12 November 1994

(a) Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar, Amadiyah, Aqrah, Ayn Zalah and Dukan.

(b) Southern region: 6 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Shatrah, Hamzah, Salman, Chabaish, Busayyah and Artawi.

Between 0905 and 1445 hours on 12 November 1994, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at

altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0905 hours and left in the direction of Kuwait at 1025 hours.

2. The second flight entered Iraqi airspace at 1107 hours and left in the direction of Kuwait at 1215 hours.

3. The third flight entered Iraqi airspace at 1415 hours and left in the direction of Kuwait at 1445 hours.

13 November 1994

Southern region: 73 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Basra, Qal'at Salih, Jalibah, Bussayyah, Artawi and Salman.

On 13 November 1994, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 0850 hours and the other at 1135 hours. They left in the direction of Kuwait at 1000 and 1220 hours respectively.

14 November 1994

(a) Northern region: 17 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Tall Afar, Zakho, Dohuk, Aqrah, Ayn Zalah and Amadiyah.

(b) Southern region: 108 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Qurnah, Nasiriyah, Samawah, Salman, Artawi, Qal'at Salih and Jalibah.

Between 0855 and 1752 hours on 14 November 1994, five United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at medium altitudes violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0855 hours and left in the direction of Kuwait at 1007 hours.

2. The second flight entered Iraqi airspace at 1047 hours and left in the direction of Kuwait at 1320 hours.

3. The third flight entered Iraqi airspace at 1100 hours and left in the direction of Kuwait at 1127 hours.

4. The fourth flight entered Iraqi airspace at 1358 hours and left in the direction of Kuwait at 1428 hours.

5. The fifth flight entered Iraqi airspace at 1705 hours and left in the direction of Kuwait at 1752 hours.

15 November 1994

(a) Northern region: 19 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Zakho, Dohuk, Amadiyah, Aqrah, Tall Afar and Ayn Salah.

(b) Southern region: 65 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Artawi, Jalibah, Qurnah, Amarah, Qal'at Salih, Nasiriyah, Samawah, Busayyah and Salman.

Between 0855 and 2009 hours on 15 November 1994, four United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0855 hours and left in the direction of Kuwait at 1008 hours.

2. The second flight entered Iraqi airspace at 1100 hours and left in the direction of Kuwait at 1318 hours.

3. The third flight entered Iraqi airspace at 1640 hours and left in the direction of Kuwait at 1745 hours.

4. The fourth flight entered Iraqi airspace at 1927 hours and left in the direction of Kuwait at 2009 hours.

16 November 1994

Southern region: 14 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Amarah, the area to the south of Diwaniyah, Artawi, Jalibah, Qurnah, Chabaish and Salman.

Between 0830 and 1730 hours on 26 October 1994, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0830 hours and left in the direction of Kuwait at 1020 hours.

2. The second flight entered Iraqi airspace at 1104 hours and left in the direction of Kuwait at 1320 hours.

3. The third flight entered Iraqi airspace at 1630 hours and left in the direction of Kuwait at 1730 hours.

17 November 1994

(a) Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Aqrah, Tall Afar and Amadiyah.

(b) Southern region: 80 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Basra, Qal'at Salih, Jalibah, Artawi and Busayyah.

18 November 1994

(a) Northern region: 23 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Amadiyah, Aqrah, Tall Afar and Ayn Zalah.

(b) Southern region: 85 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Busayyah, Samawah, Chabaish, Nasiriyah, Basra, Umm Qasr, Qurnah and Salman.

Between 0905 and 1357 hours on 18 November 1994, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0905 hours and left in the direction of Kuwait at 1004 hours.

2. The second flight entered Iraqi airspace at 1203 hours and left in the direction of Kuwait at 1225 hours.

3. The third flight entered Iraqi airspace at 1325 hours and left in the direction of Kuwait at 1357 hours.

19 November 1994

Southern region: 55 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Basra, Amarah, Samawah, Qal'at Salih and Qurnah.

Between 0900 and 1312 hours on 19 November 1994, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 0900 hours and left in the direction of Kuwait at 1006 hours.

2. The second flight entered Iraqi airspace at 1055 hours and left in the direction of Kuwait at 1312 hours.

3. The third flight entered Iraqi airspace at 1105 hours and left in the direction of Kuwait at 1312 hours.

20 November 1994

Southern region: 76 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qurnah, Artawi, Jalibah and Busayyah.

On 20 November 1994, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 0955 hours and the other at 1332 hours. They left in the direction of Kuwait at 1305 and 1354 hours respectively.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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UNITED
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Security Council

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GENERAL

S/1994/1369
1 December 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 29 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that at 1115 hours on 7 November 1994 a Kuwaiti military helicopter coming from Kuwaiti territory entered Iraqi airspace and overflew the town of Safwan at an altitude of 800 to 1,500 metres. It then returned to Kuwaiti territory.

My Government wishes to lodge a protest against this violation by the Kuwaiti side of the provisions of the cease-fire and the instructions relating to the implementation of the demilitarized zone.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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94-47704 (E) 021294 051294 06/12/94

**UNITED NATIONS** **S**

**Security Council**

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S/1994/1370
1 December 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 28 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the hostile and provocative action taken by a group of members of the British unit on board the British destroyer bearing the marking D-92 against the Iraqi fishing vessel Diyala as it was fishing in the area between Mina' al-Bakr and Mina' al-Amiq, inside Iraqi territorial waters.

At 0845 hours on 20 November 1994, the above-mentioned British destroyer approached the fishing vessel Diyala and a 12-man group disembarked from it, using two rubber boats, boarded the fishing vessel Diyala, inspected it and departed.

This illegal and provocative action by British troops constitutes a violation of Iraq's sovereignty and a breach of the provisions of the United Nations Charter and international law.

I wish to register the Republic of Iraq's protest at this hostile action, and I call on you to take appropriate steps to prevent any repetition of such conduct, which is counter to the provisions of international law and the United Nations Charter.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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94-47659 (E) 021294 021294 05/12/94

**UNITED NATIONS** **S**

**Security Council**

Distr.
GENERAL

S/1994/1371
1 December 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 30 NOVEMBER 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and with reference to the letter dated 30 October 1994 from the representative of the Iraqi regime to the United Nations addressed to you (S/1994/1232), in which the claim is made that on 25 October 1994 a Kuwaiti Police patrol penetrated 500 metres inside Iraqi territory, fired on the Iraqi Rahil post and wounded one of its personnel, I have the honour to state as follows:

1. As you know, immediately the demarcation of the international boundaries was completed Kuwait constructed a trench five metres wide and three metres deep and an earth embankment three metres high along the international boundary between Kuwait and Iraq from boundary marker 1 to boundary marker 106. It is not possible for a patrol to cross either the trench or the earth embankment.

2. Along the trench there are four crossing points. They are at boundary markers 29, 66, 90 and 105.

3. The Rahil post is in the central sector of the border zone between boundary markers 44 and 47.

4. All of these crossings are under the control and supervision of the Bangladesh contingent of the United Nations Iraq-Kuwait Observation Mission (UNIKOM).

5. None of the UNIKOM patrols operating in the same area on that day reported any violations of any kind on the part of Kuwait.

Fabrications and false allegations of this kind are nothing new for the Iraqi regime in its routine attempts to undermine security and deliberately to create tension and insecurity in the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nasser S. B. AL-SABEEH
Chargé d'affaires a.i.

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94-47665 (E) 021294 021294 05/12/94

**UNITED NATIONS** **S**

**Security Council**

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S/1994/1372
1 December 1994

ORIGINAL: ENGLISH

LETTER DATED 1 DECEMBER 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the attached report, which was addressed to me on 1 December 1994 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, concerning the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro) (see annex). This report by the Co-Chairmen contains the certification referred to in paragraph 3 of Security Council resolution 943 (1994) (see para. 80).

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

Annex

Operations of the International Conference on the Former Yugoslavia Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro)

Report of the Co-Chairmen of the Steering Committee

## I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 3 of Security Council resolution 943 (1994) of 23 September 1994. In that resolution the Council requested that the Secretary-General submit every 30 days for its review a report from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the border closure measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro).

2. It will be recalled that on 4 August 1994 the following measures were ordered by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to come into effect the same day:

> "(a) To break off political and economic relations with the Republica Srpska;
>
> "(b) To prohibit the stay of the members of the leadership of the Republica Srpska (Parliament, Presidency and Government) in the territory of the Federal Republic of Yugoslavia;
>
> "(c) As of today the border of the Federal Republic of Yugoslavia is closed for all transport towards the Republica Srpska, except food, clothing and medicine."

3. On 19 September, on 3 October and on 2 November 1994, the Secretary-General transmitted to the Security Council reports from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the state of implementation of the above-mentioned measures (S/1994/1074, S/1994/1124 and S/1994/1246, respectively). The report dated 2 November 1994 contained the following certification from the Co-Chairmen:

> "In the light of the ... developments during the past 30 days, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr. Bo Pellnäs, and in the absence of any contrary information from the air, whether the airborne reconnaissance system of the North Atlantic Treaty Organization (NATO) or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces."

Developments in the past 30 days are dealt with below.

## II. LEGISLATION/REGULATIONS ON THE BORDER CLOSURE

4. The legislation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) closing the border with the Bosnian Serbs continues in force.

## III. ORGANIZATION, FINANCING AND WORK OF THE MISSION

5. As at 30 November, 158 international personnel were on duty with the Mission. The Mission personnel to date have come from Belgium, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, the Netherlands, Norway, Portugal, the Russian Federation, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

6. The Mission is still operating under tight financial constraints. The following voluntary contributions have been received to date:

| | $ | |
|---|---|---|
| Canada | 100 000 | |
| Denmark | 100 000 | |
| Norway | 100 000 | |
| Sweden | 100 000 | |
| Switzerland | | 15 airlifts Geneva-Belgrade |
| United States of America | 400 000 | |

The United States has also pledged $500,000 in the form of communications equipment. The equipment has started to arrive and the installation of repeaters has begun in the Belgrade region. It is foreseen that installation will be completed in the first half of December.

7. On 1 November, a note was sent to members of the Expanded Steering Committee of the Conference asking that countries wishing to make further voluntary contributions inform the secretariat of the Conference by 17 November 1994. A budget in the amount of $3,131,625 for the six-month period from 1 December 1994 to 31 May 1995 was subsequently finalized and assessments issued to members of the Expanded Steering Committee on 23 November.

8. With the onset of winter, an urgent need of the Mission is for four-wheel-drive vehicles. The Mission needs at least 30 such vehicles immediately. It is awaiting the arrival of five vehicles promised by the European Commission. A request has been made to the United Nations Protection Force (UNPROFOR) for the loan of 25 vehicles. Some participating Governments have also been approached to assist in the provision of four-wheel-drive vehicles. The Governments of Germany and the United Kingdom have indicated their willingness to provide some vehicles.

## IV. FREEDOM OF MOVEMENT OF THE MISSION

9. The Mission continues to enjoy freedom of movement within the Federal Republic of Yugoslavia (Serbia and Montenegro).

10. Despite the escalation of fighting in Bosnia and Herzegovina, the security situation for the Mission members remains stable and without major problems.

11. On 31 October, three rockets (probably RPG rockets) were fired from the territory held by Bosnian Serbs against a Yugoslav Army position close to the border crossing west of Loznica (Trbusnica). No casualties were reported and no Mission members were in the vicinity. It is believed that firing of the rockets was an attempt to take revenge from a smuggler, as the military earlier that day had confiscated 1.4 tons of fuel in that area. On the same day a man in a car passing the Kotroman border crossing abused the Mission's team and told the soldiers at that place "to kill them in the mountains". On two other occasions members of the Mission were threatened.

## V. COOPERATION OF THE AUTHORITIES OF THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) WITH THE MISSION

12. In the assessment of the Mission Coordinator, the cooperation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be satisfactory. A current concern is the delay in action by the Yugoslav Army in dealing with some problems along the River Drina, which are dealt with in chapter VII below. The Mission Coordinator, however, after a meeting with General Kovacevic on 28 November, expects that the issues may be resolved in the coming week.

## VI. INFORMATION RECEIVED FROM NATIONAL AND OTHER SOURCES

13. The operating principle of the Mission is to base itself on its own observations and on information that it has verified. The Mission Coordinator has maintained a standing request to Governments possessing the technical capacity to provide it with information relevant to its mandate. The Coordinator has received some such information and measures have been taken to verify and follow up the information received.

## VII. PROBLEMS ENCOUNTERED AND REPRESENTATIONS MADE TO THE AUTHORITIES

14. As was mentioned in the preceding report (S/1994/1246), helicopter flights and trucks passing the border in Montenegro constituted the major concerns. During the period covered by the present report, the Mission has not observed any flights. As is related below, the measures taken in Montenegro to stop traffic crossing the border also appear to be working.

15. During Mission patrols along the Drina, it was discovered that at some places it was possible to drive trucks down to the riverside without their being

observed or checked. At a meeting on 4 November with General Kovacevic, the Deputy Chief of the General Staff of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Mission Coordinator expressed concern about this and asked him to increase army surveillance along the border and especially along some parts of the Drina. He also asked him to improve the cooperation extended to Mission personnel by the admiral commanding the military area around and north of Kotor Bay.

16. In the opinion of the Mission Coordinator, sufficient measures to meet his requests have not yet been taken by the Yugoslav Army. The Mission therefore has approached the military authorities once again, this time with a written request. At a meeting with General Kovacevic on 29 November, he promised to arrange a meeting between the army, the Ministry of the Interior and with Mr. Kertes, Director of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro), to review the problems along the Drina and to decide the exact apportionment of responsibility among them. The Mission Coordinator and General Kovacevic agreed to meet again within a week, at which time General Kovacevic promised to provide an answer to the written request of the Mission Coordinator.

17. During the night of 29 November, the Mission transferred and deployed 19 additional teams from Sector B and Sector Belgrade onto all roads leading to the Drina between Sremska Raca and Loznica, reinforcing Sector A. Twenty-two observation points were manned and four mobile teams operated in the area. The Mission members observed the traffic throughout the night. They reported that no trucks or tankers passed through the area east of Sremska Raca-Loznica approaching the Drina. Only a few observations during the night indicated some possible small-scale "private" attempts of smuggling. The Mission will carry out this sort of reinforcement to all sectors, depending on where the need appears greatest.

18. As was indicated in the previous report, the situation in Montenegro has been a major concern for the Mission. The border crossing north-west of Krstac was abandoned by police and customs on 1 November, and there was no replacement by the army, leaving the crossing wide open for five days in spite of the demands from the Mission's sector leader. The matter was brought to the attention of the authorities in Belgrade. As there was still no action from the local police, a letter was sent to the Director of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro), demanding action and a written response.

19. During the period under review the Mission also found that the blocking of bypasses promised earlier by the Deputy Minister of the Interior of Montenegro, Mr. Bojevic, had either not been carried out at all or not in a satisfactory manner. The Mission Coordinator therefore asked for a meeting with President Bulatović of Montenegro and saw him on Tuesday, 8 November. That meeting was followed by a meeting with President Milošević the following day at which a detailed discussion took place with Mr. Kertes, the Director of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro). As a direct result of those meetings, the Mission Coordinator immediately sent a personal representative to Podgorica and President Bulatović designated a trusted point of contact.

20. As a result of the joint efforts by the Mission personnel and the Montenegrin authorities, two checkpoints were moved closer to the border, eliminating the possibility of using bypasses. A substantial earth barricade was constructed on one of the bypasses, and the Krstac border checkpoint was manned 24 hours a day.

21. On 8 November, three tankers had managed to use one of the bypasses in the Vilusi area and enter into Bosnia and Herzegovina. It had also become evident that large amounts of fuel were stored at the gas station in Vilusi, obviously being a logistic base for smuggling fuel across the border. As a result of the meetings referred to above, the most notorious smuggler in Montenegro has been arrested and the Chief of Police in Nikšić has been replaced. The Vilusi gas station was closed.

22. Owing to the increased number of Mission personnel in Montenegro and measures taken by the Montenegrin authorities, all crossing points in Montenegro are now being permanently manned by Mission members and by either police/customs or military personnel.

23. On 19 November, two tankers managed to force their way through the Krstac border checkpoint. The customs officer in charge has been arrested, accused of taking bribes. The Mission's sector leader has demanded obstacles to be established that could prevent trucks from driving straight through checkpoints.

24. The Mission Coordinator now considers the present situation in Montenegro satisfactory. The demands of the Mission have been met. There is no doubt, however, that well-organized smuggling and the large economic interests involved call for vigilant and constant surveillance.

25. Following presentations by Mission personnel, the performance of customs officers at Badovinci significantly improved and during a four-day period, from 2 to 6 November, around four tons of fuel were confiscated. As a result of this, traffic was reduced at the border crossing.

26. Efforts to improve procedures at other crossings are ongoing. The overall picture, however, is good. The cooperation at the packing centres is described by Mission personnel, including customs specialists, as excellent.

27. The Mission is now normally covering all major crossings 24 hours a day. The need for night patrols and to cover small crossings occasionally forces sector leaders to leave some crossings unobserved for a few hours. This underscores the importance of the Mission's achieving its full staffing component of 200 persons, so that it can provide 24-hour coverage to as many crossing points as possible.

28. During the reporting period, the Mission has experienced an increase in the number of military passenger cars with military plates and uniformed passengers crossing the border in Sector A and Sector B. On 9 November, for example, there were 13 such crossings. The Mission Coordinator raised this issue with the Director of Customs in the Federal Republic of Yugoslavia (Serbia and Montenegro) and after that there have been no reports of any military vehicles or uniformed personnel crossing the border.

## VIII. REPRESENTATIONS ON BEHALF OF HUMANITARIAN ORGANIZATIONS

29. As was mentioned in the previous report (S/1994/1246), the Mission Coordinator has sought to assist the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) in their efforts to get the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to implement the border closure in such a manner as would not adversely affect their ongoing programmes in eastern Bosnia. With the assistance of UNHCR and ICRC, the Mission Coordinator negotiated and initialled, with the Director of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro), on 4 November, a "Memorandum on Definitions of Humanitarian Aid ...". The Memorandum is attached (see appendix).

## IX. CERTIFICATION

30. In the light of the foregoing developments during the past 30 days, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr. Bo Pellnäs, and in the absence of any contrary information from the air, whether the airborne reconnaissance system of NATO or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces.

## Appendix

### Memorandum on Definitions of Humanitarian Aid and Articles that may be Included, established between the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the International Conference on the Former Yugoslavia after consultations with the International Committee of the Red Cross and the Office of the United Nations High Commissioner for Refugees

1. Food

Also includes seed, cattle fodder and pesticides.

2. Clothing

Also includes footwear, blankets and mattresses. Sleeping-bags and tents may be sent, but only by the Office of the United Nations High Commissioner for Refugees (UNHCR) as part of specific programmes for refugees.

3. Medicine

Also includes medical materials such as medical/surgical equipment and instruments, orthopaedic appliances, disinfectants, dressing material, blood and blood plasma, equipment for transfusion, medical alcohol, bottles with medical gas, veterinary drugs and vaccines, sera and blood products.

4. Other items

Other items that may be sent as humanitarian aid within the framework of the programmes of international organizations and their implementing partners are:

Articles for hygiene;

Construction material;

Textbooks and other school materials necessary for education;

Articles for the International Committee of the Red Cross (ICRC) sanitation programme, such as materials for water works (pipes, plastic and metal fittings, flanges, joints, etc.), water-distribution materials (plastic water containers, pumps, etc.);

Articles for religious services (candles, icon lamps, icons, etc. and coffins);

Articles for beneficiaries, such as stoves, matches, candles, plastic sheeting and tarpaulins.

Through the sole distribution by UNHCR, fuel and generators for schools, hospitals and collective centres may be sent, as well as fuel for secondary distribution to beneficiaries.

Household articles may be brought by people permanently changing dwelling between the Federal Republic of Yugoslavia and from, to or through the territory held by the Bosnian Serbs. In these cases proper documentation from the relevant authorities should be available.

UNHCR and ICRC may on all occasions bring all items they request for their own operational needs (for their own transportation, office work, projects, etc, also including items such as radio equipment and fuel).

(Signed) Mr. M. KERTES
Mr. Bo PELLNÄS

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/1373
2 December 1994

ORIGINAL: ENGLISH

# LETTER DATED 1 DECEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF MOZAMBIQUE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that, following the holding of the elections in Mozambique, the new Assembly of the Republic of Mozambique and the President of Mozambique will be inaugurated on 8 and 9 December 1994. I would therefore like to request that, in accordance with Security Council resolution 957 (1994) of 15 November 1994, a meeting of the Security Council on the situation in Mozambique be convened on 9 December or soon thereafter, but not later than 15 December.

(Signed) Pedro Comissario AFONSO
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the United Nations

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94-47829 (E) 021294 03/12/94

**UNITED NATIONS**

**A S**

**General Assembly**
**Security Council**

Distr.
GENERAL

A/49/750
S/1994/1374
2 December 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Forty-ninth year

Letter dated 2 December 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to present to you the attached letter, dated today, from my President to Your Excellency.

May I ask for your kind assistance in circulating this letter as a document of the General Assembly and of the Security Council.

(Signed) Ivan Z. MISIĆ
Ambassador
Deputy Permanent Representative

Annex

Letter dated 2 December 1994 from the President of Bosnia and Herzegovina addressed to the Secretary-General

We have reliable information that Karadzić's Serbs have installed a system of surface-to-air missiles, not only in the surroundings of the city of Sarajevo but also around the towns of Śrebrenica, Žepa and Goraźde.

This information was also confirmed this morning by the Office of the United Nations High Commissioner for Refugees.

In this way, they want to isolate the besieged areas completely and make any supply of food and medicaments impossible.

The installed system threatens the NATO aircraft maintaining the no-fly zone over the Republic of Bosnia and Herzegovina.

By informing you of the above, we should like you to urgently consider this newly created situation that puts at stake the mission of the United Nations as well as the NATO mission in the Republic of Bosnia and Herzegovina and leads to expansion of the war.

Awaiting your immediate action, please accept assurances of my highest consideration.

(Signed) Alija IZETBEGOVIĆ

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**UNITED NATIONS** **S**

**Security Council**

Distr.
GENERAL

S/1994/1375
2 December 1994

ORIGINAL: ENGLISH

# LETTER DATED 2 DECEMBER 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the report addressed to me on 2 December 1994 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, on the conclusion of an Economic Agreement between the Croatian Government and the Serb local authorities (see annex).

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

Annex

Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the conclusion of an Economic Agreement between the Croatian Government and the Serb local authorities

INTRODUCTION

1. One of the priorities of the International Conference on the Former Yugoslavia since its establishment has been the promotion of better relations between the Government of the Republic of Croatia and the Croatian Serbs. As part of this process, the Co-Chairmen of the Steering Committee and negotiators of the International Conference on the Former Yugoslavia have maintained constant contacts with the leadership in Zagreb and in Knin. Efforts for the normalization of relations between the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Croatia were also part of this process. It will be recalled, in this connection, that the Belgrade Joint Communiqué of 11 September 1992 and the Joint Declarations of 30 September 1992 and 20 October 1992 by Presidents Cosic and Tudjman, which were negotiated under the auspices of the Co-Chairmen, helped defuse trouble spots at places such as the Prevlaka peninsula and the Peruca dam and provided a framework for future cooperation. The Co-Chairmen have also been instrumental in arranging meetings between Presidents Milosevic and Tudjman, and between the Foreign Ministers of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Croatia.

2. The Cease-fire Agreement of 29 March 1994, negotiated under the auspices of the International Conference on the Former Yugoslavia, with the participation of the Ambassadors of the United States of America and of the Russian Federation in Zagreb, brought active hostilities between Croatian Government forces and Croatian Serb forces to an end. The cease-fire, which is still largely respected, has stopped the deaths and destruction that were commonplace before. Since the conclusion of the Cease-fire Agreement of 29 March 1994, the Co-Chairmen and negotiators of the International Conference on the Former Yugoslavia, in close consultations with the leadership in Zagreb, Knin and Belgrade, have sought to develop confidence by encouraging and steering negotiations on practical issues of economic cooperation, while simultaneously keeping in mind the need for negotiated political solutions.

3. Negotiators of the International Conference on the Former Yugoslavia have had innumerable meetings in Zagreb, in Knin and elsewhere to advance agreements on water, power, the reopening of pipelines, highways and railways, the return of refugees and displaced persons and the payment of pensions. Based on the work done by negotiators of the International Conference on the Former Yugoslavia between March and October 1994, the Co-Chairmen assembled delegations from the Croatian Government and the Serb local authorities at Camp Pleso of the United Nations Protection Force (UNPROFOR) in Zagreb on 27 October to discuss drafts on these topics.

4. The Croatian Government delegation was headed by Mr. H. Sarinić. The delegation of the Serb local authorities was headed by Mr. B. Mikelić. The discussions were characterized by a businesslike and constructive attitude on the part of both delegations.

5. The outcome of the meeting was a consolidated draft Agreement on water, electricity, the oil pipeline, the Zagreb-Belgrade Highway and railways. There were some technical points that needed to be checked and each side agreed to meet in the following days with the International Conference on the Former Yugoslavia, and UNPROFOR representatives.

6. The Ambassadors of the Russian Federation and the United States of America in Zagreb were present at the talks and were briefed on bilateral meetings the Co-Chairmen had with each delegation just before their departure.

7. The Co-Chairmen held resumed discussions with the two delegations in Knin on Thursday, 3 November. The whole draft Agreement was discussed and a substantial measure of agreement achieved on some parts. In preparation for a resumed session, an expert group on electricity-related issues met under the chairmanship of the International Conference on the Former Yugoslavia in Split on 7 November, and an expert group on oil-related issues met in Topusko on 11 November.

8. The Co-Chairmen met with the two delegations again on 15 November at UNPROFOR'S Camp Pleso in Zagreb. The Co-Chairmen also had consultations with the Ambassadors of the Russian Federation and the United States in Zagreb, as well as with the Special Representative of the Secretary-General, Mr. Yasushi Akashi. On 16 November, the Co-Chairmen, together with the Ambassadors of the Russian Federation and the United States and Ambassadors Ahrens and Eide of the International Conference on the Former Yugoslavia, saw President Tudjman and Mr. Sarinić. Ambassador Ahrens and Ambassador Eide travelled to Belgrade the same day for a meeting with Mr. Mikelić.

9. In the light of those discussions, a proposed Agreement on water, electricity, the oil pipeline, the Highway and railways was finalized and transmitted to the two sides with accompanying letters making it clear that the Co-Chairmen, together with the Ambassador of the Russian Federation, Mr. Kerestedzhiyants, and the Ambassador of the United States of America, Mr. Galbraith, were conducting themselves within the framework of the Vance plan and all relevant Security Council resolutions. The Croatian side accepted the document. The Croatian Serbs submitted it to their "Assembly", which met on Saturday, 19 November, but they asked for some further amendments which the Co-Chairmen judged as ruling out further negotiations at that juncture.

10. Following the Co-Chairmen's decisions, President Milosevic met with the Croatian Serb leaders and this was followed by a number of contacts with the Co-Chairmen which were sufficiently encouraging for the Co-Chairmen to arrange to meet with President Tudjman in Zagreb on the morning of Friday, 25 November. The outcome of this meeting was a recasting of the proposed Agreement which the Co-Chairmen took immediately to Belgrade for discussion with President Milosevic and Mr. Mikelić. The Co-Chairmen flew back to Zagreb and saw President Tudjman

that evening. The Co-Chairmen then flew next morning to see Mr. Mikelić in Belgrade.

11. On the basis of those discussions, the Co-Chairmen submitted to the two delegations the text of a recast Agreement, together with accompanying letters to Mr. Sarinić and Mr. Mikelić.

12. The Agreement was signed on Friday, 2 December, by Mr. Sarinić at UNPROFOR headquarters in Zagreb and by Mr. Mikelić in Knin on Friday, 2 December.

13. The text of the Agreement, as signed by the two delegations, together with the Co-Chairmen, General Peeters of UNPROFOR, and Ambassador Paul Joachim von Stülpnagel, Head of the European Commission Monitoring Mission, and witnessed by Ambassador Galbraith and Ambassador Kerestedzhiyants, is contained in appendix I. The letters to Mr. Sarinić and Mr. Mikelić also appear in appendixes II and III.

## Appendix I

## Agreement

### I. WATER

1. Subject of the Agreement

1.1 The following water supply systems:

(a) Obrovac-Zadar-Benkovac-Kakma-Biograd-Filip Jakov;

(b) Čikola-Drniš;

(c) Medak-Gospič-Korenica;

(d) Petrinja-Sisak;

(e) Gacka-Vrhovine;

(f) Sumetlica-Pakrac-Lipik.

The Joint Commission will be examining other water-supply systems, using the same criteria for inclusion.

2. The systems mentioned in paragraph 1.1 shall be restored and opened for the unimpeded and regular supply of water within the optimal capacity of the existing systems.

3. Requirements prior to the opening of the water supply systems mentioned in paragraph 1.1.

3.1 All technical information requested by the United Nations Protection Force (UNPROFOR) in order to make the above-mentioned water supply systems operational shall be made available without delay. This will in particular include:

(a) Layout and technical specifications for installations, pipelines, power lines and associated facilities;

(b) Information concerning assessments of damage;

(c) Assessments concerning repair work needed as well as requirements for such work;

(d) Information concerning requirements for de-mining of any installations connected to these water supply systems and their surrounding areas.

3.2 De-mining will be carried out where necessary.

3.3 Full security will be guaranteed for all installations, facilities and working teams involved during the period of restoration of the water supply systems as well as after they have been put into operation. Within the Zone of Separation UNPROFOR will, for the duration of its mandate, provide this security in accordance with the Cease-fire Agreement.

3.4 UNPROFOR or experts appointed by UNPROFOR, with the cooperation of the signatories to this Agreement, will carry out inspections of all facilities and installations in order to assess damage, requirements for repair work and spare parts as well as the time required to make the water supply systems operational.

3.5 UNPROFOR and experts appointed by UNPROFOR shall be given full access to all facilities in order to carry out such inspections.

3.6 A timetable will be established by UNPROFOR after consultations for the repair work of each water supply system.

3.7 The repair work required will be commenced as soon as the results of the inspections of each supply system are available. Wherever such inspections have already been carried out, repair work will commence immediately. UNPROFOR will supervise the repair work and assist where appropriate.

4. Requirements following the completion of repair work of the water supply systems:

4.1 The regular supply of water will commence immediately after the completion of work required at each supply system and when the Joint Commission has declared each system operational.

4.2 The methods and location for measuring the quantity and monitoring the quality of water shall be determined for each water system of the areas listed by the Joint Commission based on relevant technical considerations. The price of the water to the user will be agreed in the Joint Commission before the beginning of delivery of the water.

## II. ELECTRICITY

1. Subject of the Agreement:

1.1 The high-tension transmission lines.

1.2 The generator poles of the Obrovac power plant.

2. The high-tension transmission lines.

2.1 The following high-tension transmission lines shall be opened for unimpeded and regular use.

(a) The Mraclin-Brinje 220 kV transmission line;

(b) The Gradiška-Meduric 100 kV transmission line;

(c) The Obrovac-Zadar 110 kV transmission line;

(d) The Meline-Obrovac-Konjsko 400 kV transmission line;

(e) The Tumbri-Ernestinovo 400 kV transmission line;

(f) The construction of a new [400 kV transformer station] [transmission facility on the 400 kV transmission line] at Ernestinovo.

3. Requirements prior to the restoration of the objects mentioned in paragraph 2.1:

3.1 International expert teams, where appropriate under the auspices of UNPROFOR, shall inspect all segments of the transmission lines that are subject to this Agreement.

3.2 These inspections shall assess the repair work and de-mining required for the unimpeded and regular use of the transmission lines.

3.3 The de-mining and repair of the transmission lines will commence as soon as the results of the inspection of each line are available, under the supervision and with the assistance of UNPROFOR and/or international experts where appropriate.

3.4 The transmission lines shall be opened as soon as they are declared operational by the Joint Commission.

4. Requirements following the opening of the transmission lines:

4.1 UNPROFOR and/or international experts shall have free access to the transmission lines and related facilities for the purpose of verifying and securing unimpeded and regular use.

5. Joint Commission:

5.1 The Joint Commission will discuss and agree on the terms of payment as well as, where necessary, other questions relating to the work required to make the objects mentioned in paragraph 2.1 operational and to secure their unimpeded and regular use.

5.2 The Joint Commission will discuss and agree on the opening of additional transmission lines.

6. The generator poles of the Obrovac power plant:

6.1 The generator poles for the Obrovac power plant, which have been repaired at the Koncar plant in Zagreb and are currently stored in Rijeka, shall be returned to the Obrovac power plant.

7. Requirements prior to the return of the generator poles to the Obrovac power plant:

7.1 The generator poles mentioned above shall be tested at the Koncar plant in the presence of international experts, to verify that they are in working order.

8. Timing of the return of the generator poles:

8.1 The generator poles shall be returned to the Obrovac power plant as soon as the Co-Chairmen of the International Conference on the Former Yugoslavia declare that the highway is operating according to this Agreement.

9. Requirements following the return of the generator poles to the Obrovac power plant:

9.1 The generator poles, once installed in the Obrovac power plant, shall be inspected by UNPROFOR and/or international experts prior to being put into operation.

## III. THE HIGHWAY

1. Subject of the Agreement:

1.1 The Highway as it affects the United Nations Protected Areas (UNPAs) East and West.

2. Permissible traffic under the Agreement:

2.1 Only that permitted under the Cease-fire Agreement of 29 March 1994 within UNPAs East and West.

3. Modalities of passage:

3.1 (a) All traffic under the Agreement will be granted free and safe passage. Vehicles may travel separately or together;

(b) In order to ensure free and safe passage through UNPAs Sectors West and/or East UNPROFOR will, within its mandate, monitor these parts of the Highway. UNPROFOR may stop and inspect any vehicles and/or individuals, whenever it considers that such vehicles and/or individuals may endanger the implementation of this Agreement. Local police shall be obliged to provide assistance whenever required by UNPROFOR in order to ensure the free and safe traffic through UNPAs Sectors West and/or East;

(c) A bus service may be established between UNPAs Sectors West and East and may also be established along the other parts of the Highway covered by this Agreement;

(d) UNPROFOR/European Community Monitoring Mission (ECMM) will conduct unarmed patrols of the Highway between UNPAs Sectors West and East and between UNPA Sector West and Zagreb in order to verify compliance with this Agreement;

(e) UNPROFOR/ECMM will, in consultation with the relevant authorities, establish procedures in order to provide assistance in case of accidents, breakdowns of vehicles, violations of traffic regulations, etc.

3.2 Until otherwise agreed, no road toll will be charged inside the UNPAs from vehicles originating outside the UNPAs and outside the UNPAs from vehicles originating inside them.

## IV. THE OIL PIPELINE

1. Subject of the Agreement

1.1 The segment of the oil pipeline passing through UNPA Sectors North, West and East.

2. The pipeline shall be open for unrestricted and regular usage at this stage only through UNPA North.

3. Requirements prior to the opening of the pipeline:

3.1 An international expert team under the auspices of UNPROFOR or experts appointed by UNPROFOR shall be allowed to inspect the entire length of the segments subject to this Agreement.

3.2 This inspection will identify any repair work and any de-mining operations required in order to recommence the usage of the pipeline.

3.3 The requirements identified through the inspections mentioned above as well as any maintenance work required will be carried out without delay, under the supervision and with the assistance of UNPROFOR or experts or contractors appointed by UNPROFOR where appropriate. Free access will be given to all persons and equipment involved in carrying out this work.

3.4 A joint commercial company will be established as soon as possible to sell and distribute oil and oil products at market prices in the UNPAs. The pipeline through UNPA North will be opened as soon as this company is established and the Joint Commission has declared that the pipeline is operational. The other segment of the pipeline will be opened when circumstances permit.

## V. FURTHER NEGOTIATIONS

1. Negotiations shall be continued immediately in order to reach agreement on the following topics:

   1.1 The return of refugees and displaced persons.

   1.2 Pensions.

   1.3 - The opening of the Zagreb-Okucani-Belgrade railway;

   - The opening of the Zagreb-Knin-Split railway;

   - The opening of the Zagreb-Knin-Split road.

2. Negotiations will be continued as soon as possible on other topics on which there is a consensus to negotiate.

## VI. PROVISIONS FOR IMPLEMENTATION

### A. Joint Commission

1. Subject of the Agreement

   1.1 A Joint Commission.

2. The Joint Commission will be responsible for implementing all parts of this document as well as other and similar agreements which may be concluded as a follow-up to this document.

3. Membership

   3.1 Membership of the Joint Commission will be as follows: Two Co-Chairmen of the Joint Commission appointed by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia. One representative appointed by each of the signatories to this Agreement. One representative of UNPROFOR. Each member of the Joint Commission will be accompanied by one associate and may call on other experts to attend the meetings.

4. Decision-making

   4.1 Any disputes or breach of the provisions of this Agreement as well as any other matter that requires further clarification or deliberation shall be brought to the attention of and resolution by the Joint Commission. Should any dispute or breach of the provisions of this Agreement occur, no retaliation or unilateral action shall take place. In cases where agreement cannot be reached by consensus, the Co-Chairmen of the Joint Commission will try to arbitrate. In the event that their proposal is not acceptable, an appeal can be made to

the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, whose arbitration shall be final.

B. Implementation

The implementation of this Agreement shall start immediately upon its signing and shall be completed within one month wherever feasible, while the implementation of all other items shall start within the same period.

2 December 1994

(Signed) H. SARINIČ

(Signed) B. MIKELIĆ

(Signed) D. OWEN

(Signed) T. STOLTENBERG

(Signed) P. PEETERS

(Signed) P. J. von STÜLPNAGEL

Witnessed by:

(Signed) P. GALBRAITH

(Signed) L. KERESTEDZHIYANTS

## Appendix II

We are writing to you about how UNPROFOR will conduct itself under the Agreement.

Whenever it is foreseen in this Agreement that UNPROFOR is to carry out certain tasks, it is understood that UNPROFOR is requested by all concerned to carry out those tasks to the best of its abilities and within its available resources and mandate and that all concerned will extend their utmost cooperation to UNPROFOR in carrying out such tasks.

In UNPA West there will be no checkpoints on the Highway. Instead there will be joint patrolling of the Highway by UNPROFOR vehicles accompanied by one person from your police.

If it is decided to establish a bus service between UNPAs Sectors West and East or along other parts of the Highway covered by this Agreement, UNPROFOR/ECMM will be present on these buses, if requested.

(Signed) D. OWEN

(Signed) T. STOLTENBERG

(Signed) P. PEETERS

Witnessed by:

(Signed) P. GALBRAITH

(Signed) L. KERESTEDZHIYANTS

## Appendix III

We are writing to you about how UNPROFOR will conduct itself under the Agreement.

Whenever it is foreseen in this Agreement that UNPROFOR is to carry out certain tasks, it is understood that UNPROFOR is requested by all concerned to carry out those tasks to the best of its abilities and within its available resources and mandate, and that all concerned will extend their utmost cooperation to UNPROFOR in carrying out such tasks.

In UNPA West there will be no checkpoints on the Highway. Instead there will be joint patrolling of the Highway by UNPROFOR vehicles accompanied by one person from your police.

UNPROFOR is not permitted at this stage to let goods pass through the UNPAs originating from, or destined to, the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) or territory controlled by the Bosnian Serbs and therefore at the two checkpoints within UNPA East your police will be asked to provide assistance and to work alongside UNPROFOR. Control will, however, have to be exercised by UNPROFOR in order to ensure compliance with this Agreement.

If you decide to establish a bus service between UNPAs Sectors West and East or along other parts of the Highway covered by this Agreement, UNPROFOR/ECMM will be present on these buses, if requested.

(Signed) D. OWEN

(Signed) T. STOLTENBERG

(Signed) P. PEETERS

Witnessed by:

(Signed) P. GALBRAITH

(Signed) L. KERESTEDZHIYANTS

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/1376
4 December 1994

ORIGINAL: ENGLISH

# REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ANGOLA VERIFICATION MISSION (UNAVEM II)

## I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 952 (1994) of 27 October 1994, in which the Council asked me to keep it informed of the progress of the Lusaka peace talks, as well as on the military and humanitarian situation in Angola. Since then, the members of the Council, in their informal consultations, have been regularly informed by the Secretariat of developments in the country.

## II. POLITICAL DEVELOPMENTS

2. Since my last report to the Security Council of 20 October 1994 (S/1994/1197), significant events have taken place in the Angolan peace process. After long and arduous negotiations that lasted for approximately one year, the Lusaka Protocol was initialled on 31 October and signed on 20 November 1994. The Protocol was signed by the Minister for External Relations of Angola, Mr. Venâncio de Moura, and by the Secretary-General of the União Nacional para a Independencia Total de Angola (UNITA) and its chief negotiator at the Lusaka peace talks, Mr. Eugénio Manuvakola. The ceremony was witnessed by several heads of State, including President José Eduardo dos Santos, and by a number of Foreign Ministers and other dignitaries. Citing security concerns, the President of UNITA, Mr. Jonas Savimbi, did not travel to Lusaka.

3. Following the initialling of the Lusaka Protocol, the President of the Security Council issued on 4 November 1994 a statement on behalf of the Council (S/PRST/1994/63), in which she stressed once again that any obstruction to the peace process would be unacceptable. On 18 November, following allegations that the truce that was supposed to come into force before the cease-fire was not being respected, the President of the Council sent identical messages to President dos Santos and Mr. Savimbi, calling upon them to ensure that their forces adhered strictly to the terms of the truce. In another statement issued on 21 November 1994, after the signing of the Lusaka Protocol (S/PRST/1994/70), the President of the Council stated that the Government and UNITA must continue

to demonstrate their commitment to peace through the full and timely implementation of the agreement and that the cease-fire required by the Protocol must be respected. On the same day, I also issued a statement noting that it was imperative that immediate action be taken to implement the comprehensive agreement signed in Lusaka and that the cessation of hostilities be established without delay.

4. The most contentious item on the agenda of the Lusaka talks, the question of national reconciliation, was concluded on 14 October 1994, when agreement was reached on the list of localities to be administered by UNITA. Earlier, on 5 September 1994, after months of complex negotiations, UNITA had accepted the package of proposals put forward by my Special Representative and the three observer States (Portugal, Russian Federation and United States of America). This question had been particularly difficult to resolve since it included the allocation of senior government positions, including the governorships of provinces, to UNITA members.

5. On 18 October 1994, the two delegations initiated the review of the timetable for the implementation of the Lusaka Protocol on the basis of a document prepared by my Special Representative and the observer States. After several interruptions resulting from the intensification of military activity throughout Angola and the need for both the Government and UNITA delegations to travel to Luanda and Huambo, respectively, for consultations, agreement was finally reached on the timetable on 31 October 1994, the day the Protocol was initialled.

6. At the time of the initialling, it was agreed that the high-level military talks between the Government and UNITA would begin on 10 November 1994 and that the signing ceremony would take place on 15 November. However, owing to continued fighting throughout Angola, the military talks did not begin until 14 November, and the signing had to be postponed for five days.

7. The high-level military talks and the negotiations regarding the security arrangements for Mr. Savimbi and other senior UNITA leaders concluded at Lusaka on 23 November 1994. At the time, it was agreed that further talks would be held at Luanda on 29 November and all delegations left the Zambian capital. However, the talks did not resume as scheduled since the UNITA delegation, citing logistic and transport problems, did not arrive at Luanda.

8. During the period under review, my Special Representative undertook intensive efforts with a view to ensuring that the Lusaka Protocol was signed and that the cease-fire that came into force on 22 November 1994 would be respected. In the pursuit of such efforts, he has met with President dos Santos and with Mr. Savimbi and travelled to Namibia, Zaire and Zimbabwe for consultations with Presidents Sam Nujoma, Mobutu Sese Seko and Robert Mugabe, respectively. He has also met on a number of occasions with President Frederick Chiluba of Zambia and exchanged views on the situation in Angola with the heads of State and other dignitaries who attended the signing ceremony in Lusaka.

9. The Lusaka Protocol consists of eight annexes, each relating to a particular issue on the agenda of the peace talks. The annexes cover all legal, military and political issues agreed to at the talks. The main military issues concern the re-establishment of the cease-fire; the withdrawal, quartering and demilitarization of all UNITA military forces; the disarming of civilians; and the completion of the formation of the Forcas Armadas Angolanas (FAA). The major political issues include the police; the United Nations mandate and the role of the observers of the "Acordos de Paz"; the completion of the electoral process; and the question of national reconciliation.

## III. MILITARY SITUATION

10. Despite the initialling of the Lusaka Protocol on 31 October 1994, fighting continued throughout Angola, with major offensives launched by FAA. As a result, the Government was able to retake many strategically important areas of the country, including all provincial capitals, some of which had been occupied by UNITA for many months.

11. During the reporting period, several appeals were made to the Government and UNITA by the Security Council and Member States and by me, urging them to put an immediate halt to the hostilities. However, the military situation continued to be extremely tense, even after both sides agreed to a truce that entered into effect on 16 November 1994. The fighting started to subside only after the Lusaka Protocol was signed on 20 November and the cease-fire entered into force 48 hours thereafter. By 24 November, however, there were reports of renewed clashes, with both the Government and UNITA blaming the new attacks on the other.

12. In the northern part of Angola, especially in the provinces of Bengo and Zaire, government forces continued their advance throughout most of November. In a well-prepared offensive, FAA first recaptured N'Zeto and later the important oil-producing town of Soyo. The Government subsequently launched an attack against the provincial capital of M'Banza Congo, which fell under its control in mid-November. As a result, UNITA forces retreated to the northern border of the country. FAA also mounted an attack against the city of Uige, which was captured on 17 November 1994. There were confirmed reports of clashes in the area even after the formal cease-fire was declared. In the meantime, reports were received that a large number of UNITA troops had attacked Cafunfo in Lunda Norte province in the second half of November, but were repelled. Ambushes and some fighting were also reported around the city of Malange and in the vicinity of Cacolo in Lunda Sul.

13. In the central region, the military situation also underwent dramatic changes. After intensive battles in October and in early November 1994, FAA forces took control of almost all the province of Benguela. At the same time, a strategic offensive was launched towards Huambo. As a result of heavy fighting, and after the nearby localities of Longonjo, Kalalanga and Caala fell to the Government, the city was virtually surrounded and finally came under government control on 6 November 1994. UNITA troops retreated mainly to the northern part of Huambo province. Active military action in the province was registered until the end of November, including heavy use of air assets. Later in November,

there were reports of clashes in the vicinity of Kuito (the security perimeter of which was significantly enlarged) and around Andulo, as well as movement of troops and matériel and small-scale attacks by UNITA in Moxico province.

14. In the southern part of the country the situation was relatively calm, but was marked by government advances. According to some reports, in October UNITA attacked FAA positions around Menongue, Cuchi and Cutabo, resulting in government casualties. Subsequently, however, FAA recaptured several municipalities in Huila, and it now appears that the entire province is under government control. In the province of Cuando Cubango, FAA surrounded the town of Cuito Cuanavale but as of 30 November 1994 this locality was still under UNITA control. Continued military clashes have occurred in the province of Cuando Cubango after the signing of the Lusaka Protocol and an FAA helicopter providing evacuation assistance crashed near Cuito Cuanavale. UNITA has strongly denied any involvement in this incident but FAA claims that four members of the helicopter crew are being held captive by UNITA.

15. While the military situation in many parts of Angola remained very tense, even after the official conclusion of the Lusaka talks, some steps were taken towards the establishment of an effective cease-fire. In order to enhance the verification capabilities of UNAVEM II and as an additional confidence-building measure, my Special Representative decided to deploy to the countryside small teams of military and police personnel already serving with the Mission. Accordingly, on 27, 28 and 29 November 1994, UNAVEM regional headquarters were established in the cities of Huambo, Luena, Menongue, Saurimo and Uige, in addition to one already existing in Lubango. Initial reports indicate that these cities and the surrounding areas have been relatively peaceful, although small-scale military actions initiated by either side persisted in some localities, in particular in the provinces of Benguela, Bie, Cuando Cubango, Huambo, Huila, Kwanza Norte, Lunda Sul and Moxico.

## IV. HUMANITARIAN SITUATION

16. Since my last report, the humanitarian situation in Angola has continued to be severely affected by the intensification of military offensives, particularly in the provinces of Huambo and Zaire.

17. In Huambo, all relief flights were suspended from 1 November 1994 because of insecurity linked to the military offensive operations launched by government forces. Owing to the highly precarious security situation prevailing in the city, 54 expatriate humanitarian workers, including three United Nations staff members, 34 from the International Committee of the Red Cross (ICRC) and the rest from other non-governmental organizations, were stranded and gathered on 5 November on the premises of ICRC. On 11 November, following contacts made by my Special Representative at the highest levels of the Government and UNITA, 50 of the 54 expatriate workers were evacuated to Luanda. The four that remained on their own initiative were from ICRC. All the expatriate personnel faced particularly difficult circumstances and I should like to take this opportunity to commend them for their courage. Most recently, the United Nations system has been able to resume its humanitarian activities at Huambo where the need for humanitarian assistance, especially basic food requirements, is acute.

18. United Nations personnel also had to be evacuated from the provincial capitals of M'Banza Congo and Uige. Nevertheless, substantial progress has been made in other provinces. A joint mission of agencies of the United Nations and non-governmental organizations was carried out on 18 and 19 October in N'Dalatando in the province of Kwanza Norte, where the World Food Programme (WFP), the United Nations Children's Fund (UNICEF) and some non-governmental organizations have begun implementing emergency programmes. A strong emphasis has been placed on the establishment of nutrition and treatment centres in order to meet the critical needs of about 75,000 people, many of whom suffer from acute malnutrition. Efforts have also been launched to solve logistical problems so as to increase the volume of deliveries.

19. In the province of Bie, the city of Kuito continues to receive emergency relief assistance, particularly medicines, soap, blankets and clothing for displaced persons. The most serious threat is posed by the presence of numerous mines and other explosive devices, which claim many civilian lives daily.

20. In Malange, the situation has begun to stabilize and larger quantities of aid are arriving. However, identifying vulnerable persons there remains one of the priorities of the United Nations system and non-governmental organizations.

21. In other provinces, humanitarian assistance activities continued without major difficulties and WFP, in collaboration with non-governmental organizations, is maintaining its deliveries of 400 tons per day; UNICEF has been concentrating on the immunization programme in priority areas. WFP has also revised its follow-up methods on emergency food distribution and an evaluation mission from its headquarters visited Luanda in mid-November.

22. The comprehensive mine programme for Angola, coordinated by the Central Mine Action Office, has become operational. The experts in demobilization and social reintegration in charge of carrying out studies on vulnerable groups and the profile of soldiers to be demobilized have already begun collecting information.

23. Following the signing of the Lusaka Protocol, an inter-agency mission travelled to Angola with a view to determining the extension and the modalities of the comprehensive humanitarian aid programme for the reintegration of displaced persons, repatriation of refugees and the implementation of the demobilization programme.

## V. FINANCIAL ASPECTS

24. To restore the strength of UNAVEM II to its previous level of 350 military observers and 126 police observers with an appropriate number of international and local staff, it is estimated that start-up requirements based on the phasing-in schedule of military and civilian personnel would amount to US$ 7.6 million for the period from 9 December 1994 to 31 January 1995.

25. Should the Security Council decide to extend the mandate of UNAVEM II to 31 January 1995 and to restore its strength to its previous level, I will initially request the Advisory Committee on Administrative and Budgetary

Questions to make the necessary provisions for the start-up costs based on the phasing-in of military and civilian personnel and equipment.

26. It should be noted that the cash-flow situation of the special account of UNAVEM II continues to be critical. As of 26 November 1994, outstanding assessed contributions to the account amounted to some US$ 13.9 million. Consequently, in order to provide the Mission with the necessary cash flow, a total of US$ 19 million has been borrowed from the Peace-keeping Reserve Fund for a period exceeding 11 months. This loan remains unpaid.

27. The total outstanding assessed contributions for all peace-keeping operations as of 26 November 1994 totalled US$ 1.5 billion.

## VI. OBSERVATIONS

28. The signing of the Lusaka Protocol has brought Angola to the threshold of peace and formally ended the devastating war that has cost hundreds of thousands of lives over the last two decades. However, the continued fighting and the failures of the past have deepened the mistrust between the parties and increased the scepticism of the international community. It is now up to the people of Angola and their leaders to take the final steps to usher in a new era of lasting peace and national reconciliation and to begin the daunting task of rehabilitation and reconstruction. The Angolan parties must abide fully by the Protocol before the United Nations can consider committing major resources to a substantial expansion of its operation. The Security Council has reiterated that the United Nations can assist only once the Angolans themselves have demonstrated the necessary political will.

29. It is imperative that after their declaration of the cessation of hostilities as of 22 November 1994, the Government and UNITA meticulously implement the cease-fire on the ground; otherwise, the whole peace process could unravel again. Once my Special Representative has reported to me that the cease-fire is effective, I will proceed in accordance with resolution 952 (1994) of 27 October 1994, with the expansion of UNAVEM II to its previous level of 350 military observers, 126 police observers and 14 military medical personnel, with an appropriate number of international and local staff. The United Nations must also obtain from both the Government and UNITA assurances regarding the security and safety of the international personnel to be stationed in various areas of Angola, including those near former combat zones. The actual restoration of the strength of the Mission to its previous level will have to depend on reliable confirmation of the strict observance of the cease-fire by both sides.

30. Since the Lusaka Protocol provides for a new and much wider role for the United Nations in the peace process, I dispatched a small group of specialists from the Secretariat to the country to conduct a technical survey. The team arrived at Luanda on 24 November 1994 and visited various accessible sites with the aim of checking existing contingency plans against the actual situation on the ground. The survey team will subsequently prepare detailed proposals for the overall role of the United Nations in the implementation of the Lusaka Protocol. I intend to present comprehensive recommendations in this regard to the Security Council in due course. In the meantime, the Secretariat has

intensified its contacts with present and potential troop- and/or police-contributing countries. I would like to take this opportunity to express my appreciation to those Member States that have indicated their willingness to participate in an expanded United Nations operation in Angola, and especially to those that have put their military and police personnel on stand-by in order to facilitate as rapid a deployment as possible.

31. While the international community will no doubt be prepared to assist Angola in achieving a peaceful transformation, the parties to the Lusaka Protocol bear primary responsibility for its implementation. It is essential to draw up all such plans without delay and to start allocating national resources for mine-clearance and rehabilitation of the country's basic infrastructure, for the quartering and disarmament process, the completion of the formation of FAA, the reintegration of the national police, national reconciliation and many other vital tasks. It is also expected that the Angolans will assume the necessary responsibilities in support of the United Nations operation in the country, in accordance with the model status-of-forces agreement (A/45/594). A formal status-of-forces agreement between the United Nations and the Government of Angola will be concluded as soon as the Security Council approves a new expanded mandate for UNAVEM.

32. I hope to be in a position to proceed shortly with the increase in the strength of UNAVEM to its previous level. In the meantime, I recommend that the mandate of UNAVEM II be extended for a further period, until 31 January 1995. It is my expectation that the cease-fire will solidify during this period and that the international community will be assured of the commitment of the Angolan parties to the Lusaka process and to national reconciliation. For my part, I will continue to prepare recommendations to the Council on the possible mandate for a new United Nations operation in Angola, and hope to submit it to the Council before 31 January 1995.

33. Angola will require the continued assistance of the international community in the implementation of the Lusaka Protocol. I call on all Member States, United Nations agencies and non-governmental organizations to provide the resources necessary to carry out the humanitarian aspects of the Protocol and the rehabilitation and reconstruction of the country.

34. Needless to say, the safety and security of all international personnel in Angola should be respected and assured. I deplore the dangerous conditions to which international personnel involved in relief operations at Huambo were recently exposed. It is essential that the security of all humanitarian personnel be unconditionally assured, and I urge the two parties to cooperate fully in this respect with the United Nations.

35. I wish to express my gratitude to President Chiluba of Zambia and to the other heads of State of the subregion for their significant contribution to the search for peace in Angola. I also wish to express once again my appreciation to the representatives of the three observer States that have contributed so much to the advancement of the peace process for their cooperation and invaluable support.

36. Finally, I would like to pay tribute to my Special Representative for his determined efforts and perseverance in the search for a peaceful end to the Angolan conflict. I also wish to express my gratitude to the Chief Military Observer and the staff of UNAVEM II for the dedication with which they continue to discharge their duties, as well as to the personnel of United Nations agencies and non-governmental organizations who persevere in their efforts to deliver humanitarian aid under difficult circumstances to those in need.

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